

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CIT SMALL BUSINESS LENDING)	
CORP.,)	
)	Case No. 4:10CV00021
Plaintiff,)	
)	
v.)	ORDER
)	
PIERRE KAMGUIA, M.D.,)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

Before me is Plaintiff CIT Small Business Lending Corp's Motion for Summary Judgment. Mot. for Summ. J., Oct. 20, 2010, ECF No. 23. A Roseboro notice was mailed to the pro se Defendant, Pierre Kamguia, on October 22nd, 2010. Roseboro Notice, Oct. 22, 2010, ECF No. 25. The Defendant timely responded to the Plaintiff's motion, filing a reply on November 10th, 2010. Def.'s Resp. to the Mot. for Summ. J., Nov. 10, 2010, ECF No. 26. The Plaintiff, in turn, filed a reply to the Defendant's response on November 16th, 2010. Pl.'s Reply to Def.'s Resp., Nov. 16, 2010, ECF No. 28. The parties have agreed that a hearing is not required on this motion and therefore the Court has rendered its decision on the briefs. For the reasons explained in the Memorandum Opinion that accompanies this Order, the Plaintiff's Motion for Summary Judgment is **PARTIALLY GRANTED**. The motion is **GRANTED** as to liability on the note and the manner of calculating the amount owed on the note. The method of calculation is the sum of the principal, interest, late fees, expenses, and attorney's fees. The motion is **DENIED** as to the precise amount owed on the note because a genuine issue of material fact still exists on the amount of principal outstanding.

ENTERED this 18th day of November, 2010.

s/Jackson L. Kiser
Senior United States District Judge